

New Hampshire State Agencies

Annual Report to the General Court and the Governor on Growth Management

New Hampshire Council on Resources and Development

December 3, 2001

New Hampshire Council on Resources and Development 2001 Annual Report on Growth Management

I. INTRODUCTION

This report is in response to Chapter 292, HB 1259, which establishes a coordinated and comprehensive effort by state agencies for economic growth, resource protection, and planning policy to encourage smart growth. One section of Chapter 292 requires the Council on Resources and Development (CORD) to prepare an annual report on state agency progress in the following areas:

- I. Progress by state agencies in complying with the directive of giving due consideration to the state's policy on smart growth when providing advice or expending state or federal funds, for their own use or as pass-through grants, for public works, transportation or major capital improvements, and for the construction, rental, or lease of facilities.
- II. Progress by the state agencies represented on the Council in coordinating the activities to encourage smart growth.
- III. Efforts made to encourage development in accordance with this Chapter by regular review of state operating procedures, granting policies, and regulatory framework.
- IV. Suggested policy changes or legislation that the Council believes would strengthen the state's ability to achieve smart growth.

This report is an update to the December 1999, Report to Governor Shaheen on Sprawl. CORD once again asked state agencies to evaluate what they are currently doing that may be having an impact, either positive or negative, on sprawl, and then asked them to examine how they might better address these issues in the future. The format for this brief report follows the outline of the 1999 report in categorizing state agency responses:

Office Siting	In an attempt to support downtown revitalization efforts, does your agency locate their own offices in downtown areas and in existing buildings whenever practical?
Agency Policy	Does your agency's mission statement reflect the state's policy on smart growth?
Agency Grants	In providing grants, technical assistance, education, and other forms of assistance to local communities and others, does your agency give priority to projects that strengthen village centers and downtown areas?

¹Waugh, H. Bernard, Jr. "What is Sprawl, and Why Prevent It?" NH Town and City, April, 1999, page 13.

A WORD ON SPRAWL

The term 'sprawl' is commonly used, but is not always understood. In this report, and also in the legislation, the term 'smart growth' is sometimes substituted for policies and techniques that prevent or counteract sprawl. This report defines sprawl as

...the inflation, over time, in the amount of land area consumed per unit of human activity, and in the degree of dispersal between such land areas, brought about as the avoidable consequence of society's use of automobiles.¹

In other words, sprawl is a pattern of development that results when:

- We use more and more land for various human activities;
- The places where we conduct activities are farther apart, and tend to be in homogeneous rather than mixed-use groupings; and
- We rely on automobiles to connect us to those places.
- Development or change in land use contributes to sprawl when:
 - It increases the need or demand for motor vehicle trip miles per unit in the community;
 - It increases the per-person or per-unit amount of land space devoted to cars; and
 - It otherwise increases the per-person or per-unit consumption or fractionalization of land areas that would otherwise be open space.

The legislature has expressed its concern through Chapter 292 by directing not only the preparation of this report, but by directing state agencies to coordinate their activities, including policies and expenditures to accommodate smart growth principles.

II. WHERE WE ARE: A QUICK REVIEW

As stated earlier, actions, programs, or policies of state agencies that affect sprawl can be divided into three categories:

1. Office Siting
2. Agency Policy
3. Agency Grants

We asked each state agency to review their 1999 responses to the survey and to prepare an update to their activities. For the majority of agencies, the short time span since their initial response has resulted in little change in their current actions. Programs cited by state agencies which are having a positive impact on sprawl are still ongoing for the majority of agencies. Rather than repeat the information in the 1999 report, only those notable changes in addressing sprawl related issues are highlighted. Information on the detailed programs administered by state agencies is available in the 1999 Appendix of the Sprawl Report to the Governor.

1. OFFICE SITING

Many state agencies use regional or district office or other local facilities, such as town halls, to provide services. When state agencies decide where to locate, they can have promote smart growth by selecting locations in urban or village centers. State agency responses showed an encouraging sense of awareness of this issue, including comments on some shortcomings of the site selection process. Highlights of some notable comments follow:

- The **Department of Administrative Services** noted the lack of "officially sanctioned" guidelines and criteria favoring downtown locations for state offices. Such criteria would permit all state agencies to score these locations higher in a competitive bidding process, even when the marginal costs of office space are higher than in outlying areas. DAS also noted that current law requires the "most cost effective proposal" to be chosen—which frequently leaves agencies only looking at the cost per square foot of space, and not at other important issues, such as the efficiencies of locating offices within walking distance of other state agencies and public institutions.
- The **Bureau of Court Facilities**, a division of the **Department of Administrative Services**, said that it tries to locate its facilities within community business districts, and to utilize existing buildings whenever possible.
- The **Department of Health and Human Services** stated that the needs of its clientele compels it to find offices that are often accessible to public transportation, and in close proximity to other similar entities.

- As policy, the **Office of State Planning** has committed to maintaining downtown offices in existing buildings in its locations in Concord and Portsmouth. These sites provide space that is accessible to staff and the public alike.
- The **Office of State Planning** was an organizing partner of a design workshop to address renovation of the Walker Building at the State Hospital grounds in Concord. Renovation and reuse of this building will make available over 100,000 square feet of state office space close to the city's central business district.
- The **Office of the Adjutant General** said that it was converting its existing aviation support facility into its new armory and recounted the planning process involved in developing its training facility in Center Strafford.
- The **Department of Environmental Services** observed that it planned to relocate a satellite office from Bartlett to an existing U.S. Forest Service building in Gorham.
- Cooperating with DES, the **Fish and Game Department** has been conducting an assessment of valuable wildlife habitats on state owned lands on Hazen Drive in Concord, for the purpose of identifying the most appropriate sites for new state offices.
- The **Department of Safety** recounted several initiatives to expand existing facilities, notably the hearings room at the motor vehicle substation in Keene. This site was settled upon only after examining other sites, such as the District Court building.
- The **Community Technical College System** noted that in addition to its seven campuses, it often offers courses in local high schools, and its offices have col-located with the NH Works One-Stop Centers, typically located in downtown areas.
- The **Department of Corrections** remarked that it generally locates its offices in the central areas of communities, which provides the greatest access for its clients. The Department is also currently renovating office space adjacent to the Men's Prison in Concord.
- The **Community Development Finance Authority** and the **Land & Community Heritage Investment Program Authority** are collocated in a renovated historic warehouse in downtown Concord.



Adaptive Reuse: the Concord home of the Community Development Finance Authority and the Land and Community Heritage Investment Authority.

2. AGENCY POLICY

Communities and client populations, as well as regional and state agencies, need guidance on how to conduct their business in a way that does not contribute to sprawl. Although many agencies responded to this category by either stating that their policies had little or no impact on the smart growth or sprawl issue, there is a growing number of agencies that see a direct link between their mission and policies and the patterns of development statewide.

- The **Council on Resources and Development** will undertake a review of state policies and procedures to establish the framework to implement the requirements of RSA 9-B and HB585. This will enable CORD to evaluate state capital planning, facilities leasing decisions, and other facilities expenditures to ensure that they comply with the state's smart growth policies under RSA 9-B:5, and to evaluate the distribution of state and federal funds to local and regional entities to encourage consistency with the state's growth management policies under RSA 9-B:4.
- **The Office of State Planning**, in its rulemaking and otherwise, encourages smart growth decision-making. The Scenic Byways program directs tourists to in-town visitors' centers, the Community Development Block Grant program favors projects that are in previously developed areas, particularly rehabilitation/renovation of existing buildings, and the Estuaries Project of the Coastal Zone Management Program strongly encourages development that is consistent with the need to protect the Seacoast's vital natural resources.

- **The Department of Administrative Services** observed that its own rules do not reflect the state's smart growth policy, but also expressed a willingness to revise them, particularly with regard to the competitive bidding process.
- **The Department of Education** will be updating its school-siting standards, and as part of that project, it expects to examine the impact that these standards have on limiting the potential locations new school facilities. In many communities, the current standards limit property selection to outlying areas, where there is sufficient undeveloped land to accommodate the standards, yet such locations require most children to be bused and most visitors to reach them by automobile.

Rehabilitation: the future home of some Health and Human Service Department offices on South Spring Street in Concord, formerly the offices of the Department of Revenue Administration



- **The NH Housing Finance Authority** is in the process of modifying its multi-family financing programs in response to the statewide housing shortage. It will emphasize adaptive reuse of existing structures and projects in established village and town centers.
- **The Department of Environmental Services** described two major new initiatives: (1) a comprehensive internal education program to increase the level of awareness and understanding of the issues of sprawl and smart growth among DES staff; and (2) the creation of a sprawl/smart growth team that will work with the DES smart growth coordinator to better understand how its programs, policies, and regulations might influence development patterns, and to identify specific opportunities for better supporting smart growth efforts through agency programs.

- **The Fish and Game Department** noted that its mission statement "directly reflects the state's smart growth policy, which recognizes that the results of smart growth include viable wildlife habitat, attractive landscape views, decreased water pollution and clean aquifer recharge areas."
- **The Department of Resources and Economic Development** noted that the New Hampshire Tree Farm Program provides information and technical assistance to landowners on sustainable forest management. DRED administers the Natural Heritage Inventory, which responded to 1,500 requests for information or project reviews last year.
- **The Community Technical College System** stated that its mission is sensitive to the smart growth goal of vibrant commercial activity within cities and towns.
- **The Community Development Finance Authority** interprets its enabling legislation as meaning the encouragement and active participation in community based efforts to redevelop or revitalize the state's downtown areas.
- **The Department of Transportation** has actively promoted intermodal travel by developing the following plans: State Rail Plan, State Intermodal Plan, NH Airport System Plan Update (underway), and a Bicycle/Pedestrian Plan. In addition, DOT has worked with communities as part of its Access Management Program, with a goal of fostering nodal development along state highways, rather than development that is spread out along the length of the state's roads. DOT has assigned an access management coordinator to work with the communities, DOT District Offices, and regional planning commissions.

3. AGENCY GRANTS

State agencies directly invest in infrastructure by: providing funding for downtown revitalization projects; providing financial assistance to municipalities for construction or reconstruction of schools, water and sewer systems, and other community facilities; building roads and bridges; and providing bicycle and pedestrian facilities. These expenditures help limit sprawl and its effects when they focus on maintaining and enhancing urban and village centers.

There have been few significant changes in state agency actions in this category over the past year. For most state agencies, programs and policies continue to be implemented which they believe further open space protection and the maintenance and enhancement of urban and village centers whenever practical.

However, there were significant comments from some agencies on some new initiatives and improvements to existing programs.

- **The Department of Environmental Services** stated that its Regional Environmental Planning Program makes funds available for projects that address sprawl and smart growth issues. This program is conducted in cooperation with the state's nine regional planning commissions. DES also observed that many of its grant and low interest loan programs favor existing developed areas and population centers. DES also provides funding that has direct smart growth benefits, including its Brownfields Cleanup Revolving Loan Fund, the Petroleum Reimbursement programs, and the Underground Storage Tank removal program. Each of these programs makes existing developed areas more suitable for reuse.
- **The Office of State Planning**, through the Community Development Block Grant Program, provided funding for the following downtown developments: creation of affordable housing in Concord; development of an elderly congregate care facility and rehabilitation of a rooming house in Keene; creation of transitional housing in Enfield; a homeownership/rehabilitation program for Grafton County; and Head Start day care in Troy.
- **The NH Housing Finance Authority** said that its recent technical assistance efforts have emphasized adaptive reuse of existing buildings, infill development, and small scale construction that relies on existing infrastructure.
- **The Department of Education** observed that most of its funding, in the form of state building aid to school districts, is provided for the expansion of existing facilities. These facilities tend to be older schools in existing developed areas.
- **The Fish and Game Department** stated that the focus of its programs promotes and sustains undeveloped areas in their current condition and directs new development to previously-developed areas, such as village centers and downtowns.

- **The Governor's Office of Energy and Community Services** provides a weatherization assistance program that helps to maintain the cost effectiveness and structural integrity of existing residences, reducing the need for new home construction.
- **The Department of Resources and Economic Development** reported that the Forest Legacy Program has protected 12,797 acres of forestland from conversion to non-forest use.
- **The Land & Community Heritage Investment Program Authority** notes that its funding program evaluation criteria give additional points to projects that combat sprawl and strengthen village centers.
- **The Community Development Finance Authority** hosts the NH Main Street Center, which provides technical assistance to communities regarding issues of business and community growth in the downtown areas. CDFA notes that most of its funding has been directed at projects that would constitute 'smart growth.'
- **The Office of Emergency Management** observed that its funding of local hazard mitigation projects and planning enhances smart growth by promoting safety and desirability of existing developed areas by making them "hazard-free."
- **The Department of Transportation** administers the Federal Highway Transportation Enhancement Funds, which are distributed as competitive grants for projects that typically promote bicycle/pedestrian projects and historic preservation, and generally work to strengthen village centers and downtown areas. DOT also supplies funding for special studies available to regional planning commissions on a competitive basis for corridor studies and land use/transportation initiatives. Recent projects have included manuals on access management techniques, a land use/transportation training program, and several corridor studies. Additionally, DOT itself prepares corridor management plans for use by municipalities.

New Construction: the Jaffrey-Peterborough District Court building under construction in downtown Jaffrey.



III. COOPERATIVE PROJECTS/PROJECTS OF SPECIAL MERIT

Several important projects have been initiated over the past year that deserve special attention and can serve as a model of new types of projects which should be used to further the smart growth principles. Brief descriptions of these projects follow.

- **The Office of State Planning**, together with the Growth Management Advisory Committee, developed a report on managing growth in New Hampshire, which suggests legislative and other actions needed to deal more effectively with the challenges presented by growth and development. One of the principle recommendations of the report is for greater technical assistance to professional and citizen planners in New Hampshire's communities.
- **The Land and Community Heritage Investment Program** was funded with an additional \$12 million for land conservation and historic preservation grants. The first round of funding was awarded to 29 projects, with grants ranging from \$4,920 to \$405,000.
- The **Concord 20/20 Project** represents a dramatic new approach to building a vision for long-term planning. Led by the **Department of Transportation**, this project is based upon collaboration, and is specifically directed dealing with sprawl and land development issues for Concord for the next 20 years.
- Following the model of the Concord 20/20 Project, the **Interstate 93 Expansion Project** from Salem to Manchester involves a range of state, regional, and local agencies and interests, and is aimed at dealing with the impact of the expansion in a comprehensive manner, by evaluating a wide range of "secondary growth impacts" upon surrounding communities.
- A **"Smart Growth Toolkit"** will be developed by the **Office of State Planning**, the Department of Transportation, and the Department of Environmental Services using EPA funding. The Toolkit will provide New Hampshire communities with techniques and examples of good planning in the region, along with model ordinances and regulations to help them achieve their desired results.

IV. CONCLUSIONS AND RECOMMENDATIONS

The overall conclusion of this report is that we, as state government, must continue to incorporate concerns about sprawl into decision-making, and that we must look toward influencing the decisions of others through education and partnerships. Planning and developing new approaches to decision-making should be a part of this effort.

During the past year, there have been notable successes and progress by state agencies in addressing growth management and sprawl issues in their decisions. The collaborative approach to the redevelopment of the Walker Building on the State Hospital grounds in Concord, and the interagency process used to identify an appropriate location for the Department of Safety's proposed new vehicle operator testing facility are examples of agency planning decisions that have been based upon the precepts of smart growth.

The transportation system of the past several decades has focused on making travel by automobile fast, cheap, convenient, and almost exclusive, but this created an environment that is more conducive to sprawl. Now there is a need to develop a transportation system that includes options for how we choose to get around (multi-modalism). Crucially linked with this is the need for land use planning and transportation planning to be done in tandem. Communities and the transportation system they depend on should share common goals. The Department of Transportation's work on multi-modalism and the Concord 20/20 planning project are important examples of how this can be done.

To continue these successes, all state agencies must set an example by choosing to locate new facilities in existing, built-up areas. As noted in this report, several agencies have continued doing that, or have incorporated smart growth approaches into their location decision-making process. What state agencies need now is clearer guidance on how to continue in this direction. An overall land use and growth management mission statement is needed, and can be based upon the Office of State Planning's report, "Managing Growth in New Hampshire."

RECOMMENDATIONS

1. Council on Resources and Development. During the next year, CORD will assume the leadership role statewide in promoting the implementation of smart growth principles. Specifically, it will undertake the following tasks:

- (a) **Review of capital budget requests and facilities siting.** In the upcoming year, CORD will work to implement the requirements of RSA 9-B and HB 585 by developing criteria and procedures for reviewing the capital budget requests of state agencies, their building operation and maintenance plans, and their facility location and planning, including lease agreements for state facilities.
- (b) **Smart Growth funding criteria.** CORD will also develop criteria and procedures for reviewing and coordinating the distribution of federal and state funds by state agencies to local and regional entities for the purpose of promoting the state's smart growth policies. Grants, educational programs, partnerships, and agency policy should be used to work closely with communities and stakeholders on the development decisions they make.
- (c) **Interagency Facility Siting Committee.** CORD will seek formal establishment of the ad hoc committee created to assist the Department of Safety review potential sites for its proposed new facilities in Concord. With CORD oversight, the committee should be administered by the Office of State Planning.

- (d) **Overall mission statement for all state agencies.** CORD will develop a land use and growth management mission statement to be employed by all state agencies, based upon the Office of State Planning's report, "Managing Growth in New Hampshire."
2. **Agency internal review for smart growth consistency.** Agencies should follow the example of the Department of Environmental Services by scrutinizing their current policies and programs closely, evaluating them for consistency with the Governor's policy on sprawl and growth management.
3. **Promote collaborative decision-making.** The Department of Transportation's corridor studies are an excellent example of working collaboratively with other state agencies, regional planning commissions and local citizens on solving transportation and land use concerns with a more integrated approach. Other agencies should determine how they could similarly engage in cooperative decision-making that draws upon the strengths of various agencies and entities.
4. **Continue building the GRANIT database.** Reliable and current information is essential to the success of efforts to monitor growth trends and to assess the impact of sprawl. The GRANIT database is a vitally important tool to state agencies and to the public, but its utility will cease if it is not maintained and improved continually.
5. **Integrate transportation and land use planning.** Recognizing the mutuality of influence between transportation and land use planning, models such as the Concord 20/20 project and the Interstate 93 Expansion project should be followed whenever appropriate.
6. **Promote legislation that is based upon smart growth.** House bills 650 and 712, if enacted, will jointly encourage collaboration and structural consistency among state, regional, and local planning efforts. This will lead to a clearer understanding of how these efforts affect each other, and how they can work better together to achieve the goals of smart growth.
7. **Develop planning tools for local and regional use.** As state agencies work to incorporate smart growth concepts into their decisions, municipalities and regional planning commissions should be supplied with appropriate examples of smart growth successes, and model regulatory language for achieving them. The "Smart Growth Toolkit" being jointly developed by the Office of State Planning, the Department of Transportation, and the Department of Environmental Services will meet this need.

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